

***A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS
WAS HELD DECEMBER 18, 2000 AT 1:00 P.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Larry L. Weeks, Chairman; Mr. Joe Winkelmann, Vice
Chairman; Mr. Harry Atherton; Ms. Sharon McCamy; Mr.
Raymond Graham; Mr. G. Robert Lee, County Administrator;
Mr. Paul S. McCulla, County Attorney

AGENDA REVIEW

The Board of Supervisors reviewed the agenda.

UPDATE ON AIRPORT ACTIVITIES – AIRPORT COMMITTEE

A work session was held with members of the Airport Committee to review activities at the Airport.

**REVIEW OF THE PLANNED REGIONAL VISIONING FORUM TO BE CONDUCTED
BY THE RAPPAHANNOCK-RAPIDAN REGIONAL PARTNERSHIP**

A work session was held to review a proposed regional visioning forum being planned by the Rappahannock-Rapidan Regional Commission.

PREPARATION FOR THE 2001 GENERAL ASSEMBLY SESSION

A work session was held to review a proposal to allocate staff resources to provide logistical support to assist with the execution of the VACo Region 7 Legislative Program.

EMPLOYEE SERVICE AWARDS

Members of the Board of Supervisors participated in the Employee Service Awards Ceremony.

**MEETING WITH STATE LEGISLATORS – CALENDAR YEAR 2001 GENERAL
ASSEMBLY**

The Board of Supervisors and School Board met in work session with Senator Kevin Miller and Delegate Joe May to review the County's legislative program for the Calendar Year 2001 General Assembly.

CLOSED MEETING

Mr. Winkelmann moved to go into a closed meeting pursuant to Virginia Code Section 2.1-344(A)(3) for discussion or consideration of the use of real property for public use. Mr. Graham seconded, and the vote for the

motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton; Ms. Sharon McCamy; Mr. Raymond Graham

Nays: None

Absent During Vote: None

Abstention: None

Upon reconvening from the closed meeting, Mr. Winkelmann moved to adopt the following certification. Mr. Graham seconded, and the vote for the motion was unanimous as follows:

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 18th day of December 2000, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

VOTE:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton; Ms. Sharon McCamy; Mr. Raymond Graham

Nays: None

Absent During Vote: None

Absent During Meeting: None

The meeting was reconvened in Regular Session at 6:30 p.m. in the Warren Green Meeting Room

ADOPTION OF THE AGENDA

Mr. Winkelmann moved to adopt the Agenda subject to the following

changes noted below. Mr. Graham seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton; Ms. Sharon McCamy; Mr. Raymond Graham

Nays: None

Absent During Vote: None

Abstention: None

- Delete from the Consent Agenda, A Resolution to Authorize a Local Salary Supplement to the Twentieth Judicial District Chief Magistrate.
- Add to the Consent Agenda, A Resolution Endorsing the Position Paper of the Virginia Consortium for Adequate Resources for Education and Sufficient On-going State Funding for Local School Divisions.
- Accept a substitute resolution for A Resolution Ratifying the County Administrator's Signature on the Land Sales Contract with Franklin & Marshall College for the Purchase of Approximately 88.67 Acres of Land for the Sum of \$438,750.

CITIZENS TIME

There were no citizens present wishing to speak.

CONSENT AGENDA

Mr. Winkelmann moved to adopt the following Consent Agenda items. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton; Ms. Sharon McCamy; Mr. Raymond Graham

Nays: None

Absent During Vote: None

Abstention: None

Approval of the Minutes of the November 6, 2000 and November 20, 2000 Board of Supervisors Regular Meetings

A Resolution to Authorize Reclassification of the Office of Comprehensive

Services Position of Utilization Management (UM) Program Manager to Utilization Management Coordinator

RESOLUTION

A RESOLUTION TO AUTHORIZE RECLASSIFICATION OF THE OFFICE OF COMPREHENSIVE SERVICES POSITION OF UTILIZATION MANAGEMENT PROGRAM MANAGER TO UTILIZATION MANAGEMENT COORDINATOR

WHEREAS, the Board of Supervisors has approved and adopted a Position Classification and Pay Plan prepared by DMG MAXIMUS, Incorporated; and

WHEREAS, the Office of Comprehensive Services has realigned the duties of the vacant Utilization Management Program Manager position; and

WHEREAS, upon review, DMG MAXIMUS recommends reclassification of the Utilization Management Program Manager, grade 29, to Utilization Management Coordinator, grade 27; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the position of Utilization Management Program Manager, grade 29, be reclassified to Utilization Management Coordinator, grade 27, effective December 18, 2000.

A Resolution to Authorize the Department of Community Development to Offer Pay Increases and Promotional Incentives to Building Inspectors Upon the Attainment of Specified Certifications

RESOLUTION

A RESOLUTION TO AUTHORIZE THE DEPARTMENT OF COMMUNITY DEVELOPMENT TO OFFER PAY INCREASES AND PROMOTIONAL INCENTIVES TO BUILDING INSPECTORS UPON THE ATTAINMENT OF SPECIFIED CERTIFICATIONS

WHEREAS, the Department of Community Development is experiencing retention problems with its Building Inspectors resulting in difficulty in performing timely inspections; and

WHEREAS, the Department of Community Development utilizes an Incentive Program to increase staff salary steps and/or grade levels based upon successful completion of specified certifications; and

WHEREAS, the Board of Supervisors has approved and adopted a position Classification and Pay Plan prepared by DMG MAXIMUS, Incorporated;

and

WHEREAS, the approval and adoption of the Classification and Pay Plan necessitates an update to the Community Development Incentive Program; and

WHEREAS, updating the Incentive Program includes authorization for the Director of Community Development to award a 2.5% pay increase to Building Inspectors within 30-days of the successful completion of a specified certification; and

WHEREAS, updating the Incentive Program includes authorization for the Director of Community Development to promote Building Inspectors, grade 25, to Senior Building Inspectors, grade 27, upon successful completion of a number of specified certifications; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the Department of Community Development Incentive Program be updated; and, be it

RESOLVED FURTHER, That the Director of Community Development be responsible for the administration of the Incentive Program.

A Resolution to Establish a Policy for Use of County Seals, Emblems and Logos by Third Parties

RESOLUTION

A RESOLUTION ESTABLISHING A POLICY FOR USE OF COUNTY SEALS, EMBLEMS AND LOGOS BY THIRD PARTIES

WHEREAS, the County of Fauquier, Virginia, has obtained registered copyright and service mark protection for the County Seal through registration with the United States Library of Congress and State Corporation Commission of the Commonwealth of Virginia, and asserts common-law protection for other emblems, logos, symbols and devices; and

WHEREAS, the Board of Supervisors of Fauquier County, Virginia, considers that, in some cases, the display of the County Seal, or other emblems by other organizations or persons may be beneficial to the County, and therefore desires to permit the use of such symbols by organizations or persons not a part of the County government; and

WHEREAS, the Board of Supervisors of Fauquier County, Virginia further desires that no use of such symbols should be made in any way that is detrimental to the County, or that tends to dilute either copyright or service

mark such that the emblem or emblems no longer serve the desired purpose; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the County Administrator be, and is hereby, authorized by the Board to issue licenses for the use of County logos, seals, or other emblems, subject to the following terms and conditions:

1. No person shall be granted a license unless and until an application for license has been submitted and approved by the County Administrator or his designee.
2. The application for license shall contain, at a minimum, the following information:
 - (a) The name of the person or organization seeking the license (if a corporation, the application shall list the names of the members of the board of directors, the officers, and the shareholders, unless more than twenty; if an unincorporated association, the application shall contain the names of all the members of the association);
 - (b) The logo, seal, emblem or other symbol proposed to be used, and the purpose for which it is proposed to be used;
 - (c) Renditions of the proposed presentation or presentations of the symbol;
 - (d) If the application is from a corporation or an unincorporated association, a resolution in proper form shall accompany the application designating one individual with authority to act on behalf of the corporation or association with respect to the application, and designating that individual as an agent of the corporation or association for all purposes relating to the use of the symbol by the corporation or association.
3. A license may be granted only if the County Administrator or his designee determines that all of the following factors exist:
 - (a) No commercial use of the symbol will be made;
 - (b) That the proposed use of the symbol will not present the County or its symbol or symbols in an unfavorable light, nor in any manner deemed likely to be offensive to a significant portion of the population of the County;
 - (c) That the proposed use of the symbol will tend to create positive publicity for the County;
 - (d) That the proposed presentation of the symbol is not likely to

create the perception of official County action or endorsement of any private, political or commercial undertaking;

(e) That the proposed presentation of the symbol shall be an exact replica of the symbol, and shall not be modified in any way.

4. Any license granted hereunder shall be in the form of an agreement, signed by the County Administrator or his designee, and by the applicant or the applicant's authorized agent, containing the following provisions:

(a) The applicant shall agree that no use of the licensed symbol shall be made by the applicant except as set forth in the application, and that any other use of the licensed symbol shall constitute a breach of the agreement, and infringement of the copyright or service mark;

(b) The applicant shall agree that infringement of the copyright or service mark or other violation of the agreement shall cause irreparable damage to the County such that injunctive relief shall be proper;

(c) The applicant shall agree that, in the event that the licensed symbol is placed on any tangible goods or fixtures in a manner not licensed by the County, the County shall have the right to take possession of such goods or fixtures pending the conclusion of any litigation related to such use;

(d) The applicant shall agree that any presentation of the licensed symbol shall be accompanied, as applicable, by the designation:

For black and white versions of the County seal (Courthouse and hawk):

- SM
- SM and the statement "A (registered) service mark of the County of Fauquier, Virginia, used by permission, all rights reserved," or
- ©, Copyright or Copr. and "1992 Fauquier County, Virginia"

For black and white versions of back of County seal (deer):

- ©, Copyright or Copr. and "1992 Fauquier County, Virginia"

For color versions of either seal:

- ©, Copyright or Copr. and "1998 Fauquier County, Virginia"
- (e) Any license granted shall be nonexclusive, and shall be for a term of twelve months;
- (f) Any other provisions required by the County Attorney.
5. There shall be an application fee for each license of two hundred fifty dollars (\$250.00) to defray the costs of processing the application. This fee may be waived for nonprofit corporations when the proposed use is to benefit the economy of the County; and, be it

RESOLVED FURTHER, That the County Attorney is hereby directed to take such action as may be deemed necessary to prevent the unlicensed use of any County logo, seal, emblem or device.

A Resolution to Approve an Engineering Contract with Campbell and Paris Engineers, P.C. for Services at the Airport

RESOLUTION

A RESOLUTION TO APPROVE AN ENGINEERING CONTRACT WITH

CAMPBELL AND PARIS ENGINEERS, P.C. FOR SERVICES AT THE AIRPORT

WHEREAS, on September 11, 2000, the County of Fauquier requested airport planning and engineering proposals for the Warrenton-Fauquier Airport; and

WHEREAS, three proposals were received and evaluated; and

WHEREAS, in a meeting assembled 27 November 2000, the Fauquier County Airport Committee unanimously recommended award of the contract to Campbell and Paris Engineers, P.C.; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the County Administrator is hereby authorized to execute a contract with Campbell and Paris Engineers, P.C., a Virginia Corporation, for airport planning, engineering, and consulting services, subject to comment from State and Federal funding sources.

A Resolution to Authorize Amendment of the Professional Services Agreement with Campbell and Paris Engineers, P.C. to Include Task 1, Second T-Hangar Site Plan for the Warrenton-Fauquier Airport

RESOLUTION

A RESOLUTION TO AUTHORIZE AMENDMENT OF THE PROFESSIONAL
SERVICES AGREEMENT WITH CAMPBELL AND PARIS ENGINEERS, P.C., TO
INCLUDE TASK 1, SECOND T-HANGAR SITE PLAN FOR THE WARRENTON-
FAUQUIER AIRPORT

WHEREAS, on December 18, 2000, the County of Fauquier entered into an agreement with Campbell and Paris Engineers, P.C., for professional services for the Warrenton-Fauquier Airport; and

WHEREAS, the Warrenton-Fauquier Airport Committee unanimously recommends that Campbell and Paris Engineers, P.C., provide the required professional services to assist in the development of a second T-hangar; and

WHEREAS, Section 1.2 of the aforesaid Agreement with Campbell and Paris Engineers, P.C., provides that each project assignment for which the Agreement is in force shall be described in detail as a separate Task Order; and

WHEREAS, Campbell and Paris Engineers, P.C., has prepared and submitted Contract Addendum Task Order 1, with the total amount of Task 1 not to exceed the sum of \$78,726; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That Task Order 1, second T-Hangar site plan for the Warrenton-Fauquier Airport be, and is hereby, approved; and, be it

RESOLVED FURTHER, That the County Administrator be, and is hereby, authorized to sign Task Order 1 on behalf of Fauquier County.

A Resolution to Approve a Grant Application for Acquisition of Land Under the Virginia Land Conservation Foundation

RESOLUTION

A RESOLUTION APPROVING AN APPLICATION FOR FUNDING FROM THE
VIRGINIA LAND CONSERVATION FOUNDATION

WHEREAS, Fauquier County is pursuing specific sites in Fauquier County for sports complexes; and

WHEREAS, the Virginia Land Conservation Foundation has solicited applications for funding of sites that preserve open space; and

WHEREAS, of the sites under consideration, the favored site in northern Fauquier County best meets the criteria for a grant from the Virginia Land Conservation Foundation; and

WHEREAS, the Parks and Recreation Department has prepared and submitted an application to obtain funding from the Foundation; now, therefore be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the application to the Virginia Land Conservation Foundation for funding to assist in acquisition of the northern sports complex be approved as submitted.

A Resolution to Authorize a Public Hearing to Receive Citizen Comments Regarding the Application by the Fauquier County Parks and Recreation Department for a Connector from the Terminus of Warrenton Branch Greenway to Lord Fairfax Community College

RESOLUTION

A RESOLUTION AUTHORIZING A PUBLIC HEARING TO RECEIVE CITIZEN COMMENTS REGARDING THE APPLICATION BY THE FAUQUIER COUNTY PARKS AND RECREATION DEPARTMENT FOR A CONNECTOR FROM THE TERMINUS OF WARRENTON BRANCH GREENWAY TO LORD FAIRFAX COMMUNITY COLLEGE

WHEREAS, the existing Warrenton Branch Greenway has been an unqualified success; and

WHEREAS, requests are continually received asking for the Greenway trail to be extended; and

WHEREAS, Fauquier County Parks and Recreation desires to extend the Greenway from its present terminus to the Lord Fairfax Community College campus in Fauquier County; and

WHEREAS, Lord Fairfax Community College has expressed its support and willingness to cooperate in this venture; and

WHEREAS, an opportunity exists to apply for funding from the Virginia Department of Transportation's Transportation Enhancement Program, also known as TEA-21; and

WHEREAS, a connector from the Warrenton Branch Greenway and Lord Fairfax Community College qualifies for funding through TEA-21; and

WHEREAS, a public hearing is required as part of the TEA-21 Enhancement Application; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of

December 2000, That the County Administrator be, and is hereby, authorized to schedule a public hearing on the proposed enhancement application by the Fauquier County Parks and Recreation Department for the Warrenton Branch Greenway connector to Lord Fairfax Community College.

A Resolution Endorsing the Position Paper of the Virginia Consortium for Adequate Resources for Education and Sufficient On-going State Funding for Local School Divisions

RESOLUTION

A RESOLUTION ENDORSING THE POSITION PAPER OF THE VIRGINIA CONSORTIUM FOR ADEQUATE RESOURCES FOR EDUCATION AND SUFFICIENT ON-GOING STATE FUNDING FOR LOCAL SCHOOL DIVISIONS

WHEREAS, the Joint Legislative Audit and Review Commission (JLARC) has undertaken a two-year study of education funding; and

WHEREAS, the study will examine the adequacy and appropriateness of the Standards of Quality, local operating expenditures that exceed the Standards of Quality, and capital costs that impact local school divisions; and

WHEREAS, school divisions throughout the Commonwealth, including Fauquier County Public Schools, have come together to form the Virginia Consortium for Adequate Resources for Education (Virginia CARE) to draw attention to the true costs of education that have gone unacknowledged by the State; and

WHEREAS, Virginia CARE has published *A Position Paper on the Need for Increased State Funding for K-12 Education*; and

WHEREAS, the position paper highlights the following five financial dilemmas that confront local school divisions:

1. Personnel costs necessary for the recruitment and retention of qualified personnel;
2. Costs incurred to adhere to the programmatic mandates established by the State;
3. Costs incurred among nearly all school districts in order to employ "best practice" educational approaches for which the State has not made a long term funding commitment;
4. Costs required to keep pace with the technological demands on the delivery of educational services and preparation of students for entry

into the modern world; and

5. Costs of capital construction and renovation facing local school divisions; and

WHEREAS, the Fauquier County School Board on December 13, 2000 unanimously endorsed the Virginia CARE position paper and the efforts of Virginia CARE to secure long-term adequate funding from the State; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the Board of Supervisors does hereby endorse the Virginia CARE position paper and the efforts of Virginia CARE to secure long-term adequate funding for public education from the State.

A Resolution to Amend the Board of Supervisors Legislative Proposals for the 2001 General Assembly to Include Requests from the Parks and Recreation Board

RESOLUTION

A RESOLUTION TO AMEND THE BOARD OF SUPERVISORS'

LEGISLATIVE PROPOSALS FOR THE 2001 GENERAL ASSEMBLY TO INCLUDE REQUESTS BY THE PARKS AND RECREATION BOARD

WHEREAS, the County of Fauquier has a variety of issues and interests which require legislative action by the Virginia General Assembly; and

WHEREAS, the Board of Supervisors adopted its 2001 Legislative Program on November 6, 2000; and

WHEREAS, the Fauquier County Parks and Recreation Board has requested that the Board of Supervisors amend its Legislative Program to include five legislative issues relating to parks and recreation; and

WHEREAS, the Board of Supervisors has reviewed the requested amendments proposed by the Fauquier County Parks and Recreation Board and has determined that the 2001 Legislative Program should be amended; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the following items be added to the 2001 Legislative Program.

LEGISLATIVE ISSUES:

- *Fauquier County supports the designation of the Monroe Park Gold Mining Camp as the official gold mining interpretive site for the State.*
- *Fauquier County supports the inclusion of Monroe Park in any upcoming State cultural facilities bond legislation.*
- *Fauquier County supports the implementation of the national background check program that was passed by the Federal government in October 1998.*
- *Fauquier County supports stiffer penalties for possession of weapons in public parks and community centers.*
- *Fauquier County supports the expansion of local government proffer authority to include adequate recreational facilities needed to serve new residential growth in the County.*

A Resolution to Amend the Board of Supervisors Legislative Proposals for the 2001 General Assembly to Include Requests from the Library Board

RESOLUTION

A RESOLUTION TO AMEND THE BOARD OF SUPERVISORS'

LEGISLATIVE PROPOSALS FOR THE 2001 GENERAL ASSEMBLY TO

INCLUDE REQUESTS FROM THE LIBRARY BOARD

WHEREAS, the County of Fauquier has a variety of issues and interests which require legislative action by the Virginia General Assembly; and

WHEREAS, the Board of Supervisors adopted its 2001 Legislative Program on November 6, 2000; and

WHEREAS, the Fauquier County Library Board has requested that the Board of Supervisors amend its Legislative Program to include three Legislative Issues relating to library funding; and

WHEREAS, the Board of Supervisors has reviewed the requested amendments proposed by the Fauquier County Library Board and has determined that the 2001 Legislative Program should be amended; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the following items be added to the 2001 Legislative Program.

LEGISLATIVE ISSUES:

- *Full Funding of the State Aid Formula for Public Libraries: The Board of Supervisors continues to support full funding of Virginia's public libraries as specified in the Code of Virginia.*
- *Infopowering: The Board of Supervisors continues to support full funding of "Infopowering the Commonwealth," the Library of Virginia technology plan. The plan, if fully funded, will provide every Virginian with access to the Internet and other electronic resources.*
- *Library Capital/Construction Funding: The Library Board supports an increase in funding of the Library Construction Grants program, which was given its initial funding by the 2000 General Assembly for the current biennium.*

A Resolution Ratifying the County Administrator's Signature on the Land Sales Contract with Franklin & Marshall College for the Purchase of Approximately 88.67 Acres of Land for the Sum of \$438,750

RESOLUTION**A RESOLUTION RATIFYING THE COUNTY ADMINISTRATOR'S****SIGNATURE ON THE LAND SALES CONTRACT WITH****FRANKLIN & MARSHALL COLLEGE FOR THE PURCHASE OF****APPROXIMATELY 88.67 ACRES OF LAND FOR THE SUM OF \$438,750**

WHEREAS, the Board of Supervisors has determined to purchase land in the north, central and southern portions of the County for the provision of sports fields for its citizens; and

WHEREAS, an approximately 88.67 acre parcel is owned by Franklin & Marshall College; said parcel having a Parcel Identification Number 6070-40-3474-000; being located at 7500 John Marshall Highway in Marshall District; and

WHEREAS, the Board of Supervisors has identified the Franklin & Marshall College site as the preferred site for the Northern Sports Field; and

WHEREAS, Franklin & Marshall College is willing to sell the property to the County for \$438,750; and

WHEREAS, Franklin & Marshall College has requested certain changes to the contract; and

WHEREAS, the Fauquier County Board of Supervisors, by the adoption of this resolution, has determined that the purchase of this property for sports fields is in the best interest of the citizens of the County; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the County Administrator's execution of the land sales contract, with the changes requested by Franklin & Marshall College, for the purchase of the aforesaid land from Franklin & Marshall College for the sum of \$438,750 be, and is hereby, ratified; and, be it

RESOLVED FURTHER, That the County Administrator and the County Attorney be, and are hereby, authorized to take all necessary actions, including, but not limited to, the execution of any and all settlement documents necessary to purchase the aforesaid property; and, be it

RESOLVED FINALLY, That the \$438,750, plus any reasonable and appropriate settlement costs, shall be disbursed from Account #4-302-094720-8220.

A Resolution of Denial of the Claim of Cheryl Barnes

RESOLUTION

A RESOLUTION TO DENY THE CLAIM FOR \$96,000 BY

CHERYL BARNES FOR DEFAMATION AND TORTIOUS

INTERFERENCE WITH A BUSINESS CONTRACT

WHEREAS, Cheryl Barnes' employment with the County was terminated on January 20, 2000; and

WHEREAS, Cheryl Barnes did not complete the grievance process; and

WHEREAS, Cheryl Barnes has filed a claim for \$96,000 with the Board of Supervisors of Fauquier County alleging that she has been defamed and her contract for employment with Fauquier County has been tortiously interfered with; and

WHEREAS, Cheryl Barnes alleges that the defamation and tortious interference with contract were by an employee of the County and an employee of the Sheriff's Department; and

WHEREAS, the County Attorney, pursuant to Virginia Code §15.2-1245, has reviewed the claim and advised the Board whether the claim is illegal or is not before the Board in proper form or upon proper proof; and

WHEREAS, based upon a review of the claim and the advice of the County Attorney, the Board of Supervisors has determined that the claim shall be denied; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the claim of Cheryl Barnes dated December 6, 2000, seeking \$96,000 in compensation based upon allegations of defamation of character and tortious interference with contract be and is hereby denied; and, be it

RESOLVED FURTHER, That the County Administrator be, and is hereby, directed to forward a copy of this Resolution to John A. Wasowicz, attorney for Cheryl Barnes.

A Resolution Consenting to the Grant of a Fifteen (15) Foot Wide Underground Cable Easement from the State Bank of Remington to Verizon Virginia, Inc. Upon Property Owned by the State Bank of Remington Having a PIN #6899-46-4144-000

RESOLUTION

A RESOLUTION CONSENTING TO THE GRANT OF A 15 FOOT WIDE UNDERGROUND CABLE EASEMENT FROM THE STATE BANK

OF REMINGTON TO VERIZON VIRGINIA, INC., UPON PROPERTY

OWNED BY THE STATE BANK OF REMINGTON HAVING A PIN 6899-46-4144- 000

WHEREAS, the State Bank of Remington is the titled owner of a parcel designed as PIN 6899-46-4144-000, and commonly referred to as Reynards Crossing; and

WHEREAS, the State Bank of Remington did, as part of a rezoning proffer, dedicate a portion of the aforesaid property to the Board of Supervisors of Fauquier County for public purposes; and

WHEREAS, Verizon Virginia, Inc. has requested that the State Bank of Remington execute a 15 foot wide buried cable easement in favor of Verizon Virginia, Inc. over and upon the aforesaid property to permit the provision of telephone and fiber optic services; and

WHEREAS, a portion of the aforesaid 15 foot wide easement runs along the boundary of the property to be dedicated to the County; and

WHEREAS, the State Bank of Remington wishes to obtain the consent of the Board of Supervisors prior to the grant of said easement; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the Board of Supervisors be and does hereby consent to the grant of a 15 foot wide buried cable easement from the State Bank of Remington to Verizon Virginia, Inc., as shown on the plat attached to the buried cable easement.

A Resolution to Approve Donation of Funds to the Fauquier SPCA for Sale of Animal Friendly License Plates

RESOLUTION

A RESOLUTION TO APPROVE DONATION OF FUNDS TO THE FAUQUIER SPCA FOR SALE OF ANIMAL FRIENDLY LICENSE PLATES

BE IT RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That, upon receipt, the sum of \$1,620.00 due to Fauquier County from the Commonwealth of Virginia based on the sale of Animal Friendly license plates, as authorized by Section 46.2-749 of the Code of Virginia (1950), as amended, be, and is hereby appropriated for donation to the Fauquier SPCA, Inc., for the exclusive use by that organization for the sterilization of dogs and cats.

A Resolution to Accept Val D'Oro Court in Springview Subdivision Into the Secondary Highway System

RESOLUTION

FAUQUIER COUNTY BOARD OF SUPERVISORS

SUBDIVISION STREET ACCEPTANCE FOR

SPRINGVIEW SUBDIVISION

MARSHALL MAGISTERIAL DISTRICT

WHEREAS, certain streets on the sketch titled "Springview Subdivision, Marshall Magisterial District, Fauquier County" dated November 17, 2000, and described on the Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerks Office of the Circuit Court of Fauquier County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the *Subdivision Street Requirements* of the Virginia Department of Transportation; and

WHEREAS, the above streets serve a genuine public need; and

WHEREAS, Fauquier County and the Virginia Department of Transportation have entered into an agreement on February 7, 1995, for comprehensive stormwater detention, which applies to this request for addition; now therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the Virginia Department of Transportation be, and is hereby, requested to take the necessary action to add the above described streets into the State Highway Secondary System for maintenance, as provided in Sec. 33.1-229, Code of Virginia, and the Virginia Department of Transportation's *Subdivision Street Requirements*; and, be it

RESOLVED FURTHER, That this Board does guarantee the Commonwealth of Virginia a minimum unrestricted right-of-way of fifty feet in the Springview Subdivision, with necessary easements for cuts, fills, and drainage recorded in Deed Book 783, Page 1160, dated August 7, 1997; and, be it,

RESOLVED FINALLY, That a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

A Resolution to Designate an Alternative Agent for Subdivision Ordinance Administration

RESOLUTION

A RESOLUTION TO DESIGNATE AN ALTERNATIVE AGENT

FOR SUBDIVISION ORDINANCE ADMINISTRATION

WHEREAS, Chapter 11, Code of Virginia, authorizes the Board to designate an agent for Subdivision Ordinance Administration; and

WHEREAS, due to personnel changes, the Board desires to amend previous designations; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the following designations are made:

- Agents for Subdivision Ordinance Administration are Frederick P.D. Carr and Elizabeth A. Cook; and, be it

RESOLVED FURTHER, That these designations supersede previous designations.

Referral to the Fauquier County Planning Commission of an Addition to Section 3-315 of the Zoning Ordinance (Wholesaling and Processing) of Number 13 to Establish Auto Auctions (Outdoor) in the Industrial-1 and Industrial-2 Zoning Districts with Special Exception and Site Plan Approvals and to Add Section 5-1504, Additional Standards for Auto Auctions (Outdoor)

RESOLUTION

A RESOLUTION REFERRING TO THE PLANNING COMMISSION A PROPOSED AMENDMENT TO SECTION 3-315 (WHOLESALING AND PROCESSING) OF THE FAUQUIER COUNTY ZONING ORDINANCE BY ADDING NUMBER 13 TO ESTABLISH AUTO AUCTIONS IN THE INDUSTRIAL-1 AND INDUSTRIAL-2 ZONING DISTRICTS WITH SPECIAL EXCEPTION AND SITE PLAN APPROVALS ALSO, ADDING SECTION 5-1504 FOR ADDITIONAL STANDARDS FOR AUTO AUCTIONS (OUTDOOR)

WHEREAS, the Fauquier County Board of Supervisors has determined by the passage of this resolution that it wishes to consider an amendment to the Fauquier County Zoning Ordinance to allow auto auctions (outdoor) only in the Industrial-1 and Industrial-2 zoning districts and require special exception and site plan approvals to establish the use; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the proposed ordinance amending Section 3-315 of the Fauquier County Zoning Ordinance and adding Section 5-1504 be, and is hereby, referred to the Fauquier County Planning Commission for appropriate consideration and action.

Citizens of the Year Proclamations

PROCLAMATION

A PROCLAMATION TO RECOGNIZE THE HONORABLE ALICE JANE CHILDS

AS THE FAUQUIER COUNTY BOARD OF SUPERVISORS' 2000

CITIZEN OF THE YEAR FROM CEDAR RUN MAGISTERIAL DISTRICT

WHEREAS, each year since 1991, the Fauquier County Board of Supervisors has chosen an individual from each of the five magisterial districts to be honored as Citizen of the Year; and

WHEREAS, these individuals are chosen as Citizens of the Year based on dedicated public service to the community, outstanding contribution of time

and talent leading to improved quality of life for Fauquier County citizens, and the spirit of giving selflessly to their fellow man; and

WHEREAS, The Honorable Alice Jane Childs has been chosen as the 2000 Citizen of the Year recipient for Cedar Run Magisterial District because of the countless hours she contributes to her community and her work with children and church; and

WHEREAS, The Honorable Alice Jane Childs serves as a member of the Library Board representing Cedar Run Magisterial District, the Piedmont Regional Orchestra Board and the Board of F&M Bank; and

WHEREAS, The Honorable Alice Jane Childs is a volunteer reader for children at H.M. Pearson Elementary School and the Bealeton Library; and

WHEREAS, The Honorable Alice Jane Childs supports the Catlett, Calverton, Casanova Ruritan Club as a volunteer; and

WHEREAS, The Honorable Alice Jane Childs supports the Calverton, Catlett, Casanova youth baseball program in Calverton; and

WHEREAS, The Honorable Alice Jane Childs volunteers with youth programs every Sunday and helps senior citizens every Wednesday at Grace Episcopal Church in Casanova; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 18th day of December 2000, That The Honorable Alice Jane Childs be, and is hereby, recognized as the Fauquier County Board of Supervisors' 2000 Citizen of the Year recipient from Cedar Run Magisterial District; and, be it

PROCLAIMED FURTHER, That the Fauquier County Board of Supervisors does hereby express its sincere appreciation for the many outstanding contributions of The Honorable Alice Jane Childs to the citizens of Fauquier County.

PROCLAMATION

A PROCLAMATION TO RECOGNIZE THE HONORABLE DAVID C. MANGUM

AS THE FAUQUIER COUNTY BOARD OF SUPERVISORS' 2000

CITIZEN OF THE YEAR FROM LEE MAGISTERIAL DISTRICT

WHEREAS, each year since 1991, the Fauquier County Board of Supervisors has chosen an individual from each of the five magisterial districts to be honored as Citizen of the Year; and

WHEREAS, these individuals are chosen as Citizens of the Year based on dedicated public service to their community, outstanding contribution of time and talent leading to improved quality of life for Fauquier County citizens, and the spirit of giving selflessly to their fellow man; and

WHEREAS, David C. Mangum has been chosen as the 2000 Citizen of the Year recipient for Lee Magisterial District because of the countless hours he has contributed this year to our community, and because of the strong and far-sighted leadership he has shown for economic development in Fauquier County; and

WHEREAS, David C. Mangum contributed eight years of service to Fauquier County as a member of the Board of Supervisors representing Lee Magisterial District, prior to his retirement at the end of 1999; and

WHEREAS, David C. Mangum has continued his active service to Fauquier County in the year 2000 through his Chairmanship of the Rappahannock Rapidan Regional Commission, his work as a board member of the Fauquier County Water and Sanitation Authority, and his service as Vice Chair of the Fauquier County Economic Development Advisory Council; and

WHEREAS, David C. Mangum has additionally continued his community service through his ongoing and active membership in the Bealeton-Remington Ruritan Club; and

WHEREAS, David C. Mangum has continued to serve Fauquier in the year 2000, as he has in years prior, despite conditions of the most severe personal adversity, giving generously of his time and providing the public the benefit of his considerable government experience; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 18th day of December 2000, That The Honorable David C. Mangum be, and is hereby, recognized as the Fauquier County Board of Supervisors' 2000 Citizen of the Year recipient from Lee Magisterial District; and, be it

PROCLAIMED FURTHER, That the Fauquier County Board of Supervisors does hereby express its sincere appreciation for the many outstanding contributions of The Honorable David C. Mangum to the citizens of Fauquier County.

PROCLAMATION

A PROCLAMATION TO RECOGNIZE DR. DAVID COLLINS

AS THE FAUQUIER COUNTY BOARD OF SUPERVISORS' 2000

CITIZEN OF THE YEAR FROM MARSHALL MAGISTERIAL DISTRICT

WHEREAS, each year since 1991, the Fauquier County Board of Supervisors has chosen an individual from each of the five magisterial districts to be honored as Citizen of the Year; and

WHEREAS, these individuals are chosen as Citizens of the Year based on dedicated public service to their community, outstanding contribution of time and talent leading to improved quality of life for Fauquier County citizens, and the spirit of giving selflessly to their fellow man; and

WHEREAS, Dr. David Collins has been chosen as the 2000 Citizen of the Year recipient for Marshall Magisterial District because of his generosity towards and concern for the environment, history, and particularly, the children of Marshall District; and

WHEREAS, Dr. David Collins' contribution of time and information to the public safety radio procurement process has, and will continue to lead to a more informed decision; and

WHEREAS, Dr. David Collins, through Learning Tree International, made available, on a permanent loan basis to the Fauquier County Public School System, seven state of the art technology units featuring laptop audio-visual components, which are known as "Tree Carts", with one being donated to Fauquier County General Government; and

WHEREAS, Dr. David Collins has offered, through Learning Tree International, to provide extensive and intensive computer training for School and County staff through its Reston educational center; and

WHEREAS, Dr. David Collins has made available to Northwestern School a well with sufficient capacity to cure the School's long-standing water problems; and

WHEREAS, Dr. David Collins has sponsored archeological digs on his farm for sixth grade students at Marshall and Taylor Middle Schools for the last three years; and

WHEREAS, Dr. David Collins has purchased and plans to restore "The Hollow", John Marshall's boyhood home, for an educational center and park; and

WHEREAS, Dr. David Collins has contributed over \$125,000 in financial and in-kind contributions to The Fauquier Heritage and Preservation Foundation for the restoration of the Upper Carter Run Baptist Church Salem Meeting House Project in Marshall; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 18th day of December 2000, That Dr. David Collins be, and is hereby, recognized as the Fauquier County Board of Supervisors' 2000 Citizen of the Year recipient from Marshall Magisterial District; and, be it

PROCLAIMED FURTHER, That the Fauquier County Board of Supervisors does hereby express its sincere appreciation for the many outstanding contributions of Dr. David Collins to the citizens of Fauquier County.

PROCLAMATION

A PROCLAMATION TO RECOGNIZE DOUGLAS C. LARSON

AS THE FAUQUIER COUNTY BOARD OF SUPERVISORS' 2000

CITIZEN OF THE YEAR FROM CENTER MAGISTERIAL DISTRICT

WHEREAS, each year since 1991, the Fauquier County Board of Supervisors has chosen an individual from each of the five magisterial districts to be honored as Citizen of the Year; and

WHEREAS, these individuals are chosen as Citizens of the Year based on dedicated public service to their community, outstanding contribution of time and talent leading to improved quality of life for Fauquier County citizens, and the spirit of giving selflessly to their fellow man; and

WHEREAS, Douglas C. Larson has been chosen as the 2000 Citizen of the Year recipient for Center Magisterial District because of the countless hours he contributes to his community and his work with children; and

WHEREAS, Douglas C. Larson is a recognized leader in community affairs in Fauquier County; and

WHEREAS, Douglas C. Larson has recently concluded a successful career as Director of Airlie Conference Center, where he built and enhanced the success of the Center; and

WHEREAS, Douglas C. Larson was instrumental in founding the Bluemont Concert Series in Fauquier County and continues his leadership of and dedication to its success; and

WHEREAS, Douglas C. Larson furthers the development of the dramatic arts in Fauquier County through his leadership and talent in the Fauquier Community Theater; and

WHEREAS, Douglas C. Larson remains a significant and effective force

for children of Fauquier County as a leader on the Committee for Excellence in Education; and

WHEREAS, Douglas C. Larson is dedicated to building safe neighborhoods in Fauquier County as the founder and supporter of Crime-Solvers; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 18th day of December 2000, That Douglas C. Larson be, and is hereby, recognized as the Fauquier County Board of Supervisors' 2000 Citizen of the Year recipient from Center Magisterial District; and, be it

PROCLAIMED FURTHER, That the Fauquier County Board of Supervisors does hereby express its sincere appreciation for the many outstanding contributions of Douglas C. Larson to the citizens of Fauquier County.

PROCLAMATION

A PROCLAMATION TO RECOGNIZE ROBERT L. TAYLOR, JR.

AS THE FAUQUIER COUNTY BOARD OF SUPERVISORS' 2000

CITIZEN OF THE YEAR FROM SCOTT MAGISTERIAL DISTRICT

WHEREAS, each year since 1991, the Fauquier County Board of Supervisors has chosen an individual from each of the five magisterial districts to be honored as Citizen of the Year; and

WHEREAS, these individuals are chosen as Citizens of the Year based on dedicated public service to their community, outstanding contribution of time and talent leading to improved quality of life for Fauquier County citizens, and the spirit of giving selflessly to their fellow man; and

WHEREAS, Robert L. Taylor, Jr. has been chosen as the 2000 Citizen of the Year recipient for Scott Magisterial District because of the countless hours he contributes to Habitat for Humanity and his work with children and various church organizations; and

WHEREAS, Robert L. Taylor, Jr. has been described as the "Spirit of Volunteerism" by fellow Habitat for Humanity members; and

WHEREAS, Robert L. Taylor, Jr. has participated in building nineteen houses in both Fauquier and Rappahannock Counties; and

WHEREAS, Robert L. Taylor, Jr. gathers children to assemble bluebird houses that he has designed to be sold to benefit Habitat for Humanity; and

WHEREAS, Robert L. Taylor, Jr. is an inspirational speaker who gives countless hours to meet with church congregations of every faith and denomination to witness for Christ through his messages of hope and caring for those who live in substandard housing; and

WHEREAS, Robert L. Taylor, Jr. has served Fauquier Habitat for Humanity as board member, chair of the Church Relations Committee and member of the Building Committee; and

WHEREAS, Robert L. Taylor, Jr. is a self-effacing, modest man who gives much to his community without regard to earthly rewards; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 18th day of December 2000, That Robert L. Taylor, Jr. be, and is hereby, recognized as the Fauquier County Board of Supervisors' 2000 Citizen of the Year recipient from Scott Magisterial District; and, be it

PROCLAIMED FURTHER, That the Fauquier County Board of Supervisors does hereby express its sincere appreciation for the many outstanding contributions of Robert L. Taylor, Jr. to the citizens of Fauquier County.

SPECIAL EXCEPTION – FHP MARKETING & ASSOCIATES, INC., OWNER, AND FRANCIS H. PAYNE, JR., PRESIDENT, APPLICANT

A public hearing was held to consider a request for special exception approval from FHP Marketing & Associates, Inc., Owner, and Francis H. Payne, Jr., President, Applicant, to waive the Type I Private Street Requirement in the Rural Agriculture (RA) zoning district. The 20.78 acre property is located on Crest Hill Road (Route 647), approximately 3,000 feet north of the intersection of Route 647 and Elihu Road (Route 722), PIN #6959-21-1972-000, Marshall District. Ann Hathoway spoke in opposition to installing a gravel road. Tom Ford spoke in favor of the Planning Commission's recommendation of approval. Frank Payne spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Atherton moved to adopt the following resolution. Mr. Graham seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton; Ms. Sharon McCamy; Mr. Raymond Graham

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION APPROVING SPECIAL EXCEPTION #SE00-M-22

FHP MARKETING & ASSOCIATES, INCORPORATED, OWNER

WAIVER OF TYPE I PRIVATE STREET

WHEREAS, FHP Marketing & Associates, Incorporated, owner, and Francis H. Payne, Jr., President, applicant, have applied for a special exception under Section 3-328 of the Zoning Ordinance for a waiver of the Type I Private Street requirement and a public hearing was duly advertised before the Fauquier County Planning Commission; and

WHEREAS, the special exception application has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence, both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for the special exception as set forth in Article 5 of the Zoning Ordinance and the Board finds that the more restrictive standards of Sections 5-2800 of said Zoning Ordinance are met in this application; and

WHEREAS, on September 28, 2000, the Fauquier County Planning Commission held a public hearing on the special exception request of FHP Marketing and Associates, Incorporated, owner; and

WHEREAS, at its meeting on October 26, 2000, the Fauquier County Planning Commission approved a motion recommending approval of the requested special exception subject to certain conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the Board of Supervisors does hereby approve the special exception request of FHP Marketing & Associates, Incorporated, owner, to waive the Type I Private Street requirement, subject to the following conditions:

1. None of the proposed three (3) lots can be accessed from Fox Hunt Lane.
2. Prior to the subdivision of the property, a road maintenance agreement applicable to all three (3) users of the roadway will be executed.
3. The proposed road should be designed by a licensed professional engineer or registered land surveyor.
4. The landing should be designed to VDOT standards. The remainder of the roadway should be at a maximum of 12% grade.

5. The proposed road should be constructed to a 9 foot paved travelway with 4 foot grass shoulders for 350 to 450 feet or to where the slope levels out.
6. The ditchlines should be designed and constructed to convey runoff without eroding.
7. Bonding of the roadway should be required with the rest of the subdivision improvements.

SPECIAL EXCEPTION – ROSS INDUSTRIES, INC., OWNER/APPLICANT

A public hearing was held to consider a request for special exception approval from Ross Industries, Inc., Owner/Applicant, to install a sewage disposal system over 1,200 gallons as a repair to an existing septic system. The property is located on a 12.9 acre parcel which is located on the south side of Midland Road (Route 610), PIN #7900-61-8091-000, Cedar Run District. No one spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton; Ms. Sharon McCamy; Mr. Raymond Graham

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION APPROVING SPECIAL EXCEPTION #SE00-CR-21

ROSS INDUSTRIES, INCORPORATED, OWNER

SEWAGE DISPOSAL SYSTEM

WHEREAS, Ross Industries, Incorporated, owner, has applied for a special exception under Section 3-320.7 of the Zoning Ordinance to allow a sewage disposal system over 1,200 gallons as a repair to an existing septic system and a public hearing was duly advertised before the Fauquier County Planning Commission; and

WHEREAS, the special exception application has been properly filed and

all required notices of the public hearing have been properly made, and the applicant has presented evidence, both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for the special exception as set forth in Article 5 of the Zoning Ordinance and the Board finds that the more restrictive standards of Sections 5-2000 of said Zoning Ordinance are met in this application; and

WHEREAS, on October 26, 2000, the Fauquier County Planning Commission held a public hearing on the special exception request of Ross Industries, Incorporated, owner; and

WHEREAS, at its meeting on October 26, 2000, the Fauquier County Planning Commission approved a motion recommending approval of the requested special exception subject to certain conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the Board of Supervisors does hereby approve the special exception request of Ross Industries, Incorporated, owner, to allow a sewage disposal system over 1,200 gallons subject to the following conditions:

1. Approval shall be for a pretreated drip irrigation system only.
2. This system shall remain in compliance with all applicable State and local requirements at all times.
3. Should the system be found by the Health Department to be failing, the applicant shall mitigate the failure immediately.
4. Approval is for on-site discharge only. Should off-site discharge be needed, approval of a new special exception by the Board of Supervisors shall be required.
5. A preliminary engineering design conference with the Health Department and the Department of Community Development representatives shall be required.
6. A comprehensive monitoring and maintenance system shall be established between the Fauquier County Health Department and the applicant prior to the issuance of a certificate of occupancy for the proposed addition. The County Soil Scientist and County Engineer shall be consulted and included in the maintenance program.
7. The system approved with this special exception shall be operated under the control of the Fauquier County Water and Sanitation Authority or a Class III wastewater operator, which holds a current

permit licensed in the Commonwealth of Virginia.

8. Once public sewer service is available to the site, the site shall be connected to such system.

SPECIAL EXCEPTION – CARMEL C. THOMPSON, OWNER/APPLICANT

A public hearing was held to consider a request for special exception approval for Carmel C. Thompson, Owner/Applicant, for a reduction in open space of fifty (50) percent. The 97 acre property is located on the southwest side of the intersection of Leeds Manor Road (Route 688) and Moss Hollow Road (Route 728), PIN #6020-23-5835-000, Marshall District. Carmel Clay Thompson spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Atherton moved to adopt the following resolution. Mr. Graham seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton; Ms. Sharon McCamy; Mr. Raymond Graham

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION APPROVING SPECIAL EXCEPTION #SE00-M-23

CARMEL CLAY THOMPSON

REDUCTION IN OPEN SPACE

WHEREAS, Carmel Clay Thompson, owner, has applied for a special exception under Section 3-326 of the Zoning Ordinance to allow a reduction in open space and a public hearing was duly advertised before the Fauquier County Planning Commission; and

WHEREAS, the special exception application has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence, both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for the special exception as set forth in Article 5 of the Zoning Ordinance and the Board finds that the more restrictive standards of Sections 5-2600 of said Zoning Ordinance are met in this application; and

WHEREAS, on October 26, 2000, the Fauquier County Planning Commission held a public hearing on the special exception request of Carmel Clay Thompson, owner; and

WHEREAS, at its meeting on October 26, 2000, the Fauquier County Planning Commission approved a motion recommending approval of the requested special exception subject to certain conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of December 2000, That the Board of Supervisors does hereby approve the special exception request of Carmel Clay Thompson, owner, to allow a reduction in open space, subject to the following conditions:

1. Revise the special exception plat to reflect two lots of either 47± acres and 50± acres or 57± or 40± acres.
2. Deed restrict the resulting two (2) lots by placing a non-common open space easement on each lot.

SUPERVISORS TIME/ANNOUNCEMENTS

- Mr. Lee announced that because of legal holidays the Board of Supervisors' next regularly scheduled meeting would be on Wednesday, January 3, 2001. He also announced that the following meeting would also be modified because of a holiday and would be held Tuesday, January 16, 2001.
- Mr. Weeks thanked the Liberty High School Horticulture Class for the poinsettias. Mr. Weeks also thanked the citizens of the County for their cooperation, the staff for its dedicated service and Board members for their support.

CITIZENS OF THE YEAR AWARDS

Members of the Board of Supervisors presented proclamations and plaques to the following citizens of the year:

Alice Jane Childs – Cedar Run District

Douglas C. Larson – Center District

David C. Mangum – Lee District

Dr. David Collins – Marshall District

Robert L. Taylor, Jr. – Scott District

With no further business, the meeting was adjourned.

I hereby certify that this is a true and exact record of actions taken by the Fauquier County Board of Supervisors on December 18, 2000.

G. Robert Lee

Clerk